



METHFESSEL & WERBEL

A Professional Corporation

JOELIN WERBEL
JOHN METHFESSEL, JR.>
FREDRIC PAUL GALLIN*+^
WILLIAM S. BLOOM>*
ERIC L. HARRISON*+
MATTHEW A. WERBEL>
LORI BROWN STERNBACK*+
I. BLAKELEY JOHNSTONE, III+*
GINA M. STANZIALE>
PAUL J. ENDLER JR.>
JAMES P. CULLEN, JR.=^
THOMAS O. MULVIHILL>
JAMES FOXEN^
SARAH K. DELAHANT+

Of Counsel
STEPHEN R. KATZMAN#
ED THORNTON>
MICHAEL TRIFIOLIS

Retired
JOHN METHFESSEL, SR.>
(1935-2017)
DON CROWLEY*+
(1942-2024)
MARC DEMBLING*+
(1944-2022)

Counsel
ADAM M. CARMAN*+
SHAJI M. EAPEN+
ANGELA M. GURRERA>
GERALD KAPLAN>
JARED P. KINGSLEY*+
JOHN R. KNODEL*+
LESLIE A. KOCH=^
CHARLES T. MCCOOK, JR.*>
CHRISTINA MICHELSON+
RICHARD A. NELKE~
STEVEN K. PARNES+
RAINA M. PITTS^
AMANDA J. SAWYER^
JARED S. SCHURE>
STEVEN A. UNTERBURGER+

Associates
JILLIAN T. CLARK>
EDWARD D. DEMBLING>
MICHAEL R. EATROFF>
FRANK J. KEENAN+^
SCOTT KETTERER>

Associates-Cont'd
ALLISON M. KOENKE>
ASHLEY E. MALANDRE^
ANTHONY J. MANCUSO>
KAJAL J. PATEL+
ADAM M. SCHWARTZ+
SARAH E. SHEPP+
ALYCIA M. SWIFT+

* Certified by the Supreme Court of New Jersey as a Civil Trial Attorney
+Member of NY & NJ Bar
^Member of PA & NJ Bar
~Member of NY Bar only
>Member of NJ Bar only
#Member of NJ & LA. Bar
<Member of NJ & DC Bar
≤Member of NJ, NY & CA Bar
≥Member of NJ, PA & DC Bar
~Member of NY, NJ & DC Bar
=Member of NY, NJ & MA Bar

Please reply to New Jersey

June 19, 2024

VIA ECOURTS FILING

Magistrate Judge Justin T. Quinn
Clarkson S. Fisher Fed. Bldg. 402 East State Street
Trenton, NJ 08608

RE: **OLMA, BRETT J. VS. TOWNSHIP OF PLAINSBORO, ET AL.**
BRESNEN, JOHN VS. TOWNSHIP OF PLAINSBORO, ET AL.

Our File Nos. : 95120 ELH & 95258 SKP
Docket No. : 3:24-CV-05654-RK-RLS & 3:24-CV-06407

Dear Judge Quinn:

This firm represents Defendants Township of Plainsboro, Mayor Peter A. Cantu and Township Administrator Anthony Cancro (collectively "Defendants") in each of these above-referenced litigations. We are writing to the Court, upon consent of both Plaintiff's counsel, to request that the Court issue an Order of consolidation for these two cases.

These cases were both filed in the U.S. District Court, District of New Jersey, Trenton Vicinage, and both have been assigned to Your Honor as Magistrate. The factual allegations in these two cases are essentially the same. Each Plaintiff is a Police Lieutenant with the Township of Plainsboro Police Department, and the allegations in both cases pertain to the process by which a new Chief of Police was chosen, as well as claims of retaliation against defendants by each plaintiff. Plaintiffs in each case allege equal protection, due process, and Constitutional violations, as well as violations of the Conscientious Employee Protection Act ("CEPA"), among other causes of action.

Federal Rule of Civil Procedure 42(a) specifically provides that, "[i]f actions before the court involve a common question of law or fact, the court may: (1) join for hearing or trial any or all matters at issue in the actions; (2) consolidate the actions; (3) or issue any other orders to avoid unnecessary cost or delay." FED.R.CIV.P. 42(a)(1)-(3). Under Federal Rule of Civil Procedure 42(a), "district
2025 Lincoln Highway • Suite 200 • P.O. Box 3012 • Edison, NJ 08818 • (732) 248-4200 • FAX (732) 248-2355
112 West 34th Street • 17th Floor • New York, NY 10120 • (212) 947-1999 • FAX (212) 947-3332
One Liberty Place • 1650 Market St., 36th Floor • Philadelphia, PA 19103 • (215) 665-5622 • FAX (215) 665-5623
101 Federal Street • Suite 1900 • Boston, MA 02110 • (617) 204-5630 • FAX (617) 977-9398
www.njinslaw.com

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courts have ‘broad power’ to consolidate cases that share ‘common question[s] of law or fact.’ ” A.S. ex rel. Miller v. SmithKline Beecham Corp., 769 F.3d 204, 212 (3d Cir.2014) (quoting Ellerman Lines, Ltd. v. Atl. & Gulf Stevedores, Inc., 339 F.2d 673, 675 (3d Cir.1964), *cert. denied*, 382 U.S. 812, 86 S.Ct. 23, 15 L.Ed.2d 60 (1965); citing United States v. Schiff, 602 F.3d 152, 176 (3d Cir.2010) (noting that a district court has “broad discretion in its rulings concerning case management”)). ACR Energy Partners, LLC v. Polo N. Country Club, Inc., 309 F.R.D. 193, 194 (D.N.J. 2015).

For all of the foregoing reasons, and on consent of all counsel, Defendants request that the Court consolidate these two cases without the need for the filing of a formal motion, which would simply waste judicial time and resources. We thank the Court for its consideration of this request.

Respectfully submitted,

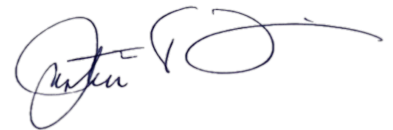
METHFESSEL & WERBEL, ESQS.



Steven K. Parness
parness@methwerb.com
Ext. 145

ORDERED that Civil Action No. 24-05654 and Civil Action No. 24-06407 are consolidated for all purposes under No. 24-05654 and all future papers are to be filed in No. 24-05654 only.

IT IS SO ORDERED
this 24th day of June 2024



Hon. Justin T. Quinn, U.S.M.J.

--Terminates ECF No. 8